

CDDH comments on Parliamentary Assembly Recommendation 2079(2015)

“ Implementation of judgments of the European Court of Human Rights ”

CDDH: 84th meeting – 7/11 December 2015 CDDH(2015)R84

1. The Steering Committee for Human Rights (CDDH) takes note of Parliamentary Assembly Recommendation 2079 (2015) on the “ Implementation of judgments of the European Court of Human Rights ”, calling on the Committee to effectively fulfil its task of supervising the implementation of judgments of the Court. The CDDH reaffirms that full and prompt execution of Court judgments, in accordance with the obligation set out in Article 46 of the Convention, is essential for the effective functioning of the Convention system.
2. The CDDH recalls its previous contributions regarding both the execution and the supervision process¹ and refers to its reflections thereon in its report on the longer-term future of the system of the European Convention on Human Rights.²

Recommendation 2079(2015)

Implementation of judgments of the European Court of Human Rights

Parliamentary Assembly

1. The Parliamentary Assembly, referring to its [Resolution 2075 \(2015\)](#) on the implementation of judgments of the European Court of Human Rights, strongly urges the Committee of Ministers to use all available means to effectively fulfil its tasks related to the supervision of the implementation of judgments of the European Court of Human Rights and calls on the Committee of Ministers to:
 - 1.1. take firmer measures in case of dilatory and/or continuous non-compliance with Court judgments, including those foreseen in Article 46, paragraphs 3, 4 and 5, of the European Convention on Human Rights (ETS No. 5);
 - 1.2. consider taking additional measures to improve the effectiveness of the supervision of the implementation of judgments;

¹ See CDDH 2008 report on practical proposals for the supervision of the execution of judgments of the Court in situations of slow execution (doc. CDDH(2008)014 Addendum II), CDDH 2013 report on whether more effective measures are needed in respect of States that fail to implement Court judgments in a timely manner (doc. CDDH(2013)R79 Addendum I), as well as the CDDH contribution to the Brussels Conference on the European Convention on Human Rights, our shared responsibility.

² Document CDDH(2015)R84 Addendum I.

1.3. involve, to a greater extent, applicants, civil society, national human rights institutions and other international intergovernmental organisations in the process of the implementation of Court judgments;

1.4. ensure greater transparency of this process.

2. Furthermore, independently of the above proposals, the Assembly recommends that the Committee of Ministers:

2.1. continue to implement the Brussels Declaration adopted on 27 March 2015 by the High-level Conference on the Implementation of the European Convention on Human Rights, our Shared Responsibility;

2.2. monitor the implementation of its decisions effectiveness of the supervisory mechanism of

2.3. continue to apply its new working methods in order to accelerate the implementation of Court judgments and reduce its backlog of cases;

2.4. enhance synergies, within the Council of Europe, between the Department for the Execution of Judgments of the European Court of Human Rights and all relevant stakeholders;

2.5. increase the resources of the Department for the Execution of Judgments of the European Court of Human Rights;

2.6. continue to liaise, where appropriate, with the Assembly to ensure rapid and effective implementation of the judgments of the Court.